

THURSDAY, MARCH 16, 1989

TWENTY-FIRST LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Dr. Kenneth Story, Germantown Baptist Church, Germantown, Tennessee.

Representative Richard Nuber led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Hillis was excused because of personal business.

The Speaker announced that Representative Whitson was excused because of personal business.

RULES SUSPENDED

Rep. West moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 155 out of order, which motion prevailed.

House Joint Resolution No. 0155 -- Memorials, Personal Achievement -- Honors Kimberly Payne, Miss Tennessee USA. by *West.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. West, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stampa, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Usery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Kernell moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 142 out of order, which motion prevailed.

Senate Joint Resolution No. 0142 -- Memorials, Sports -- Recognizes Tennessee institutions of higher learning who have been invited to participate in NCAA basketball tournament.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kernell, the resolution was concurred in by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Kernell moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 144 out of order, which motion prevailed.

Senate Joint Resolution No. 0144 -- Memorials -- Honors Memphis St. Patrick's Day Celebration.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kernell, the resolution was concurred in by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance,

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 0984 -- State Employees -- Allows authorized agent of employee association access to state employees and bulletin boards under certain circumstances. Amends TCA, Title 8, Ch. 23.

On motion, House Bill No. 984 was made to conform with Senate Bill No. 320.

On motion, Senate Bill No. 320, on same subject, was substituted for House Bill No. 984.

Rep. Kisber moved that Senate Bill No. 320 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	82
Noes	10
Present and not voting	2

Representatives voting aye were: Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Clark, Collier, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Herron, Hobbs, Holt, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Sipes, Stallings, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 82.

Representatives voting no were: Anderson, Chiles, Coffey, Henry (Roane), Hubbard, McAfee, Robinson (Washington), Scruggs, Stamps, Webb -- 10.

Representatives present and not voting were: Bragg, Holcomb -- 2.

A motion to reconsider was tabled.

House Bill No. 0320 -- Pensions and Retirement Benefits -- Permits retired county judges to receive benefits under certain circumstances. Amends TCA, Title 8, Ch. 34.

Rep. Rhinehart moved that House Bill No. 320 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend House Bill No. 320 by deleting in its entirety all of the amendatory language in Section 1 and by substituting instead the following:

Any judge retired from the superseded county paid judges retirement system may return to service in a position not covered by the Tennessee Consolidated Retirement System and continue to draw his retirement allowance.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Rhinehart moved that House Bill No. 320, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on Senate Bill No. 320 and have this statement entered in the Journal.

Rep. Townie Anderson

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on Senate Bill No. 320 and have this statement entered in the Journal.

Rep. Clyde Webb

REGULAR CALENDAR, CONTINUED

House Bill No. 0500 -- Correctional Programs -- Permits pre-trial detainees to receive sentence reduction credits for good behavior. Amends TCA 41-21-236.

On motion, House Bill No. 500 was made to conform with Senate Bill No. 199.

On motion, Senate Bill No. 199, on same subject, was substituted for House Bill No. 500.

Rep. Naifeh moved that Senate Bill No. 199 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

Representatives voting no were: Turner, C. (Shelby) -- 1.

A motion to reconsider was tabled.

***House Bill No. 0636 -- Medicare and Medicaid -- Prohibits duplication of medicare benefits by supplemental insurance policies; requires providers of such policies to submit copy of advertisement to commissioner for review.**

On motion, House Bill No. 636 was made to conform with Senate Bill No. 1171.

On motion, **Senate Bill No. 1171**, on same subject, was substituted for House Bill No. 636.

Rep. Rhinehart moved that Senate Bill No. 1171 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

Amendment No. 1

AMEND Section 2 of Senate Bill No. 1171 by deleting the words "to the extent it may be required under state law" and substituting instead the following:

pursuant to rules and regulations promulgated pursuant to the Uniform Administrative Procedures Act, Title 4, Chapter 5, Tennessee Code Annotated.

AND FURTHER AMEND Section 2 by adding the following to the end of the Section:

Said rules and regulations shall set forth standards for the format and content of medicare supplement insurance advertising, which advertising shall be sufficiently complete, clear, and unambiguous to avoid deception or the capacity or tendency to mislead or deceive. In setting standards the Commissioner shall consider the overall impression that the advertisement may be reasonably expected to create upon a person of average education or intelligence within the segment of the public to which it is directed.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Rhinehart moved that Senate Bill No. 1171, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ellis, Gaia, Garrett, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 0705 -- County Officers -- Includes sheriff in definition of police officer for purposes of qualifications and eligibility for pay supplement in certain circumstances. Amends TCA, Title 38, Ch. 8.

Rep. Kent moved that House Bill No. 705 be passed on third and final consideration.

Rep. Moore (Lawrence) moved to amend as follows:

Amendment No. 1

Amend House Bill No. 705 by deleting Section 3 in its entirety, and by renumbering subsequent sections accordingly.

On motion, Amendment No. 1 failed to be adopted by the following vote:

Ayes.	20
Noes.	63
Present and not voting.	3

Representatives voting aye were: Bell, Copeland, Crain, Davis (Gibson), DeBerry, Duer, Ellis, Givens, Hobbs, Jackson, Jones, R. (Shelby), Kernell, Moore (Lawrence), Napier, Phillips, Pinion, Stallings, Turner, L. (Shelby), Wheeler, Winningham -- 20.

Representatives voting no were: Anderson, Armstrong, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Cross, Curlee, Davidson, Davis (Knox), Dixon, Gaia, Good, Gunnels, Halteman, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Holcomb, Hubbard, Jones, U. (Shelby), Kent, King,

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

Kisber, McAfee, McDaniel, Moody, Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stamps, Starnes, Turner, C. (Shelby), Ussery, Webb, West, Williams, Wix, Wolfe, Wood, Yelton -- 63.

Representatives present and not voting were: Bragg, Miller, Robinson (Davidson) -- 3.

Rep. Kent moved that House Bill No. 705 be reset to the Calendar for Wednesday, March 22, 1989, which motion prevailed.

House Bill No. 0848 -- Abortion -- Revises appeal procedure under parental consent law. Amends TCA 37-10-304.

Rep. Clark moved that House Bill No. 848 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	79
Noes.	10
Present and not voting.	4

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Halteman, Harrill, Hassell, Hawkins, Head, Henry (Roane), Herron, Holcomb, Holt, Hubbard, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moody, Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Mr. Speaker Murray -- 79.

Representatives voting no were: Davis (Gibson), Gunnels, Haun, Hobbs, Jackson, McAfee, Moore (Lawrence), Pinion, Wolfe, Wood -- 10.

Representatives present and not voting were: Good, Nuber, Turner, L. (Shelby), Yelton -- 4.

A motion to reconsider was tabled.

House Bill No. 0842 -- Estates -- Revises process for administration of insolvent estates. Amends TCA, Title 30, Ch. 5.

Rep. Clark moved that House Bill No. 842 be passed on third and final consideration, which motion prevailed by the following vote:

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

Ayes.	95
Noes.	0
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives present and not voting were: Dixon -- 1.

A motion to reconsider was tabled.

House Bill No. 0835 -- Judicial Officers -- Increases circuit court clerk's fee for each name on a jury list. Amends TCA 22-2-204.

Rep. Clark moved that House Bill No. 835 be passed on third and final consideration, which motion failed by the following vote:

Ayes.	41
Noes.	49
Present and not voting.	5

Representatives voting aye were: Armstrong, Bell, Bittle, Burnett, Cain, Clark, Coffey, Collier, Cross, Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Hassell, Holt, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, Miller, Napier, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Severance, Shirley, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Williams, Wix, Yelton -- 41.

Representatives voting no were: Anderson, Bivens, Bragg, Byrd, Callicott, Chiles, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Duer, Garrett, Givens, Gunnels, Halteman, Harrill, Haun, Hawkins, Henry (Roane), Herron, Hobbs, Holcomb, Hubbard, Huskey, Jackson, Kent, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Pinion, Robinson (Washington), Scruggs, Sipes, Stallings, Stamps, Turner, L. (Shelby), Webb, West, Wheeler, Winningham, Wolfe, Wood -- 49.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

Representatives present and not voting were: Buck, Good, Head, Henry (Putnam), Robinson (Hamilton) -- 5.

Pursuant to Rule No. 39, House Bill No. 835, having failed to receive a constitutional majority, was re-referred to the Calendar and Rules Committee.

***House Bill No. 0252 -- Public Funds and Financing -- Requires state match of certain local contributions for human resources services programs. Amends TCA, Title 13, Ch. 26.**

Rep. Rhinehart moved that House Bill No. 252 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend House Bill No. 252 by inserting in the second sentence of the amendatory subsection (c) in Section 1, between the words "authorized" and "to" the following:

, contingent on funds being specifically allocated by the state for this purpose in the annual appropriations act,

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Rhinehart moved that House Bill No. 252, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	79
Noes.	15
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hawkins, Head, Henry (Putnam), Herron, Hobbs, Holcomb, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Starnes, Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 79.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

Representatives voting no were: Chiles, Copeland, Crain, Davis (Cocke), Duer, Hassell, Haun, Henry (Roane), Holt, Jones, U. (Shelby), Nuber, Scruggs, Stallings, Turner (Hamilton), Williams -- 15.

Representatives present and not voting were: Dixon, Turner, L. (Shelby) -- 2.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on House Bill No. 835 and have this statement entered in the Journal.

Rep. Lois DeBerry

REGULAR CALENDAR, CONTINUED

House Bill No. 0622 -- Courts, Appeal -- Defines jurisdiction of intermediate appellate courts in certain contempt cases; expands jurisdiction in certain circumstances. Amends TCA, Title 16.

On motion, House Bill No. 622 was made to conform with Senate Bill No. 148.

On motion, Senate Bill No. 148, on same subject, was substituted for House Bill No. 622.

Rep. Purcell moved that Senate Bill No. 148 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton),

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

*House Bill No. 1223 -- Education -- Creates Tennessee Challenge 2000; requires development of goals for education. Similar to *HB 1066. Amends TCA, Title 49.

Rep. Bragg moved that House Bill No. 1223 be passed on third and final consideration.

Rep. Davidson moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 1223 by inserting the words "in consort with the University of Tennessee Board of Trustees and the State Board of Regents" between the words "commission" and "shall" in the first sentence of the fourth paragraph of the amendatory section in Section 1.

AND FURTHER AMEND by inserting the following new sentence between the first and second sentences of the fourth paragraph of the amendatory section in Section 1:

Such goals shall also reflect qualitative improvements in public higher education.

AND FURTHER AMEND by deleting the word "review" in the last sentence of the fourth paragraph of the amendatory section in Section 1 and by substituting instead the words "review and approval".

AND FURTHER AMEND by deleting the fifth paragraph of the amendatory section in Section 1 in its entirety.

AND FURTHER AMEND by inserting the words "in consort with the University of Tennessee Board of Trustees and the State Board of Regents" between the words "commission" and "shall" in the first sentence of the existing sixth paragraph of the amendatory section in Section 1.

On motion, Amendment No. 1 was adopted.

Rep. Bragg moved to amend as follows:

Amendment No. 2

AMEND House Bill No. 1223 by deleting the language "in November or December in 1989" in the third paragraph of the amendatory language of the original Section 1 and substituting therefor the language "by February 15, 1990".

AND FURTHER AMEND by deleting the language "in November or December in 1989" in the sixth paragraph of the amendatory language of the original Section 1 and substituting therefor the language "by February 15, 1990".

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Bragg moved that House Bill No. 1223, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

*House Bill No. 0635 -- Insurance, Motor Vehicles -- Extends time of notice of intention not to renew private passenger automobile insurance. Amends TCA 56-7-1304.

Rep. Crain moved that House Bill No. 635 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 0983 -- State Employees -- Allows state employees to get three days paid leave if stepparent dies. Amends TCA 8-50-113.

On motion, House Bill No. 983 was made to conform with Senate Bill No. 318.

On motion, **Senate Bill No. 318**, on same subject, was substituted for House Bill No. 983.

Rep. DeBerry moved that Senate Bill No. 318 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 318 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 8-50-113(a), is amended by adding the language "step-child," between the words "child," and "parents".

On motion, Amendment No. 1 was adopted by the following vote:

Ayes.	57
Noes.	30
Present and not voting.	3

Representatives voting aye were: Bittle, Bivens, Bragg, Buck, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DePriest, Dixon, Ellis,

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

Gaia, Garrett, Givens, Gunnels, Halteman, Harrill, Haun, Head, Henry (Putnam), Henry (Roane), Hobbs, Holt, Kent, Kernell, King, Miller, Moody, Moore (Lawrence), Moore (Shelby), Napier, Odom, Peroulas, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shirley, Stamps, Ussery, West, Wheeler, Williams, Winningham, Wix -- 57.

Representatives voting no were: Armstrong, Bell, Burnett, Callicott, Davis (Cocke), DeBerry, Hassell, Hawkins, Herron, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kisber, McAfee, McDaniel, Naifeh, Niceley, Nuber, Phillips, Robinson (Washington), Severance, Sipes, Stallings, Turner (Hamilton), Turner, L. (Shelby), Wolfe, Wood, Yelton, Mr. Speaker Murray -- 30.

Representatives present and not voting were: Duer, Good, Holcomb -- 3.

Rep. DeBerry moved that Senate Bill No. 318 be reset to the Calendar for Monday, March 20, 1989, which motion prevailed.

CONSENT CALENDAR

House Bill No. 0706 -- Jails, Local Lock-ups -- Permits locally housed inmates to perform labor on behalf of charitable or nonprofit corporation. Amends TCA 41-2-148, 41-3-106.

House Bill No. 0834 -- Taxes, Real Property -- Requires statement to be filed with clerk and master instead of county assessor by persons with interest in real property to be sold for unpaid taxes. Amends TCA 67-5-2502.

House Bill No. 0832 -- Public Officials -- Allows county officials to receive official payments by checks written in such officials' name. Amends TCA 9-1-108.

House Bill No. 0674 -- Insurance, Health, Accident -- Exempts certain counties from the requirement of offering a choice of HMOs to employees. Amends TCA, Title 56, Ch. 32.

House Bill No. 0982 -- Civil Service -- Revises grievance procedures for permanent civil service employees. Amends TCA 8-30-328.

On motion, House Bill No. 982 was made to conform with Senate Bill No. 322.

On motion, **Senate Bill No. 322**, on same subject, was substituted for House Bill No. 982.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

House Bill No. 0212 -- Sunset Laws -- Extends termination date of advisory council on vocational technical education. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 11.

***House Bill No. 0485 -- Industrial Development --** Revises corporate powers of certain industrial development corporations. Amends TCA 7-53-302.

***House Bill No. 0015 -- Game and Fish Laws --** Grants authority to any employee of premier tourist resort city to enforce limits, licensing and permit requirements for trout fishing. Amends TCA 70-2-219.

House Joint Resolution No. 0149 -- Memorials, Sports -- Honors Coach Jeff Jordan and the Franklin High School wrestling team on winning state championship.

House Joint Resolution No. 0150 -- Memorials, Sports -- Honors Coaches Paul Gossett and Mark White and the Clarksville national team on winning Southeast Regional Division championship.

House Joint Resolution No. 0151 -- Memorials, Condolence -- Honors memory of Zay Nave.

House Joint Resolution No. 0152 -- Memorials, Condolence -- Honors memory of Joseph S. Slate, former Assistant Commissioner of Department of Labor.

House Joint Resolution No. 0153 -- Memorials, Personal Occasion -- Congratulates Nathan Thaddeus "N.T." Richardson on his 103rd birthday.

House Joint Resolution No. 0154 -- Memorials, Condolence -- Honors the memory of Julian Harriss.

House Bill No. 1077 -- Maury County -- Repeals jail workhouse committee. Repeals Chapter 198, Private Acts of 1971.

House Bill No. 1078 -- Maury County -- Revises membership of park committee of quarterly court. Amends Chapter 296, Private Acts of 1957, as amended.

Senate Joint Resolution No. 0108 -- Memorials, Public Service -- Honors Vanessa Dale Grimes Randle on her contributions to teaching profession and her community.

Senate Joint Resolution No. 0109 -- Memorials, Recognition and Thanks -- Honors Mildred Denby Green on service as Professor of Music at LeMoyne Owen College.

Senate Joint Resolution No. 0110 -- Memorials, Professional Achievement -- Honors Josephine W. Cartwright for her outstanding contributions in education.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

Senate Joint Resolution No. 0112 -- Memorials, Recognition and Thanks -- Honors Carl Richard Nelson on his service as West Tennessee Reception Center Chaplain and as Chaplain for U.S. Army.

Senate Joint Resolution No. 0113 -- Memorials, Professional Achievement -- Honors Dr. James W. Ford.

Senate Joint Resolution No. 0114 -- Memorials, Public Service -- Commends "Thanks to Scandinavia, Inc." for work in recognizing the Scandinavian people for their efforts to save Jewish lives during the Nazi Holocaust.

Senate Joint Resolution No. 0115 -- Memorials, Sports -- Congratulates Christian Brothers High School cheerleaders on capturing National Cheerleading championship.

OBJECTION -- CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

House Bill No. 706 was objected to by Rep. Chiles.

House Bill No. 832 was objected to by Rep. Chiles.

House Bill No. 15 was objected to by Rep. Cain.

House Joint Resolution No. 152 was objected to by Rep. Ellis.

House Bill No. 1077 was objected to by Rep. Napier.

House Bill No. 1078 was objected to by Rep. Napier.

Under the rules, House Bill(s) No(s). 706, 832, and 15; and House Joint Resolution No. 152 was/were placed at the foot of the calendar for Monday, March 20, 1989.

On motion of Rep. Napier, House Bill(s) No(s). 1077 and 1078 were held on the Clerk's desk.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray

-- 95.

A motion to reconsider was tabled.

MOTION TO RECONSIDER

Senate Bill No. 0260 -- Alcoholic Beverages -- Expands definition of premier type tourist resort. Amends TCA 57-4-102.

Rep. Duer moved that the motion to reconsider Senate Bill No. 260 be lifted from the table, which motion prevailed.

Rep. Duer moved that the House reconsider its action in passing Senate Bill No. 260 on third and final consideration, which motion prevailed.

Rep. Duer moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 260 by deleting the section which reads as follows:

Tennessee Code Annotated, Section 57-4-102(7) is amended by adding the following new subsection:

(f) A hotel or motel, as defined in Section 57-4-102(5) which is located within five (5) miles of one of the following:

(1) A facility possessing the following characteristics:

(a) Not less than five hundred (500) acres, a portion of which has been improved with

amusement equipment, entertainment facilities, theatrical or exhibit spaces;

(b) Generally advertised and held out to be a facility designed to attract tourists, conventions and visitors; and

(c) Certified by the commissioner of tourism as a bona fide tourist designation, and operating pursuant to the regulations of the alcoholic beverages commission in such a manner as would indicate that the operation of the facility is designed to attract tourists and visitors.

(2) A sports arena or facility with a seating capacity of not less than fifty-thousand (50,000) persons.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Duer moved that Senate Bill No. 260, as amended, be repassed on third and final consideration, which motion prevailed by the following vote:

Ayes.	72
Noes.	17
Present and not voting.	1

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Buck, Burnett, Cain, Callicott, Chiles, Coffey, Crain, Curlee, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Holcomb, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Yelton, Mr. Speaker Murray -- 72.

Representatives voting no were: Armstrong, Byrd, Collier, Cross, Davidson, Halteman, Herron, Hobbs, Holt, McDaniel, Pinion, Ridgeway, Sipes, Stamps, Turner, C. (Shelby), Wolfe, Wood -- 17.

Representatives present and not voting were: Davis (Gibson) -- 1.

A motion to reconsider was tabled.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

MESSAGE FROM THE SENATE

March 16, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 118 and 147; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0118 -- Memorials, Sports --
Congratulates White House High School band on performance at
presidential inaugural.

*Senate Joint Resolution No. 0147 -- General Assembly, Statement
of Intent Or Position -- Endorses new concept in drug abuse
interdiction and urges governor to proclaim "I Said No Week".

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Pruitt moved that the rules be suspended for the purpose of
introducing Senate Joint Resolution No. 147 out of order, which
motion prevailed.

*Senate Joint Resolution No. 0147 -- General Assembly, Statement
of Intent Or Position -- Endorses new concept in drug abuse
interdiction and urges governor to proclaim "I Said No Week".

On motion, the rules were suspended for the immediate
consideration of the resolution.

On motion of Rep. Pruitt, the resolution was concurred in by the
following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Armstrong, Bell,
Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark,
Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke),
Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis,
Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell,
Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs,
Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones,
U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel,
Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley,
Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart,
Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson
(Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps,
Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

(Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Monday, March 20, 1989:

House Bill No. 631: Rep. Naifeh.

RULES SUSPENDED

Rep. Pinion moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 166 out of order, which motion prevailed.

House Joint Resolution No. 0166 -- Memorials, Retirement -- Honors Elmer Mansfield on retirement. by *Pinion.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Pinion, the resolution was adopted by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Joint Resolution No. 166 and have this statement entered in the Journal.

Rep. Randall Stamps

RULES SUSPENDED

Rep. Davis (Gibson) moved that the rules be suspended for the introduction and passage on first consideration of House Bill No. 1463, which motion prevailed.

House Bill No. 1463 -- Gibson County -- Establishes court administered safety program. by *Davis Ray.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 196: Rep(s). Chiles, J. K. Davis and Hubbard added as prime sponsor(s).

House Bill No. 212: Rep(s). Kernell added as prime sponsor(s).

House Bill No. 459: Rep(s). Hobbs added as prime sponsor(s).

House Bill No. 1223: Rep(s). Kernell added as prime sponsor(s).

House Bill No. 1268: Rep(s). Peroulas added as prime sponsor(s).

BILLS WITHDRAWN

On motion of Rep. Kisber, House Bill No. 664 was recalled from the State and Local Government Committee.

On motion of Rep. Kisber, House Bill No. 664 was withdrawn from the House.

HOUSE BILL REFERRED

Rep. Kisber moved that House Bill No. 935 be recalled from the Judiciary Committee and referred to the Conservation and Environment Committee.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 0156 -- Memorials, Personal Achievement -- Honors Linda England for her success in fish catching. by *West.

The Speaker referred House Joint Resolution No. 156 to the Calendar and Rules Committee.

House Joint Resolution No. 0157 -- Memorials, Personal Occasion -- Honors Charles and Edith Vineyard on fiftieth wedding anniversary. by *Gunnels.

The Speaker referred House Joint Resolution No. 157 to the Calendar and Rules Committee.

***House Joint Resolution No. 0158** -- Memorials, Congress -- Requests reauthorization of certain sections of Surface Mine Control and Reclamation Act, to extend collection of reclamation fees through year 2007. by *Napier, *Burnett.

The Speaker referred House Joint Resolution No. 158 to the Conservation and Environment Committee.

House Joint Resolution No. 0159 -- Memorials, Professional Achievement -- Honors David Bohan on winning Nashville Advertising Federation's top award. by *Ellis.

The Speaker referred House Joint Resolution No. 159 to the Calendar and Rules Committee.

House Joint Resolution No. 0160 -- Memorials, Congratulations -- Congratulates Wayne County High School Band on performances as honor band in inauguration. by *McDaniel.

The Speaker referred House Joint Resolution No. 160 to the Calendar and Rules Committee.

House Joint Resolution No. 0162 -- Naming and Designating -- Designates May 1, 1989 as "Ramp Festival Day". by *Davis R E.

The Speaker referred House Joint Resolution No. 162 to the Calendar and Rules Committee.

House Joint Resolution No. 0164 -- Memorials, Congratulations -- Congratulates North Side High School academic decathlon team. by *Sipes, *McDaniel.

The Speaker referred House Joint Resolution No. 164 to the Calendar and Rules Committee.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

***House Joint Resolution No. 0165 --** Memorials, Government Officials -- Urges state board of education to require one half unit in government for graduation from high school. by *Halteman.

The Speaker referred House Joint Resolution No. 165 to the Education Committee.

INTRODUCTION OF BILLS

House Bill No. 1453 -- Monroe County -- Exempts hotels operated by state or federal government from occupancy tax. Amends Chapter 45, Private Acts of 1981, as amended. by *Gunnels, *Harrill.

Passed first consideration.

House Bill No. 1454 -- Blount County -- Establishes third general sessions court; vests general sessions court with domestic relations jurisdiction. Amends Chapter 345, Private Acts of 1947, as amended. by *Anderson, *Huskey.

Passed first consideration.

House Bill No. 1455 -- Murfreesboro -- Authorizes levy of impact fees on developers. by *Bragg.

Passed first consideration.

House Bill No. 1456 -- Murfreesboro -- Revises provisions of charter relative to city services and bonding authority. Amends Chapter 429, Private Acts of 1931, as amended. by *Bragg.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 0303 -- Board of Regents -- Changes the name and mission of Tri-Cities State Technical Institute. Amends TCA, Title 49, Ch. 8.

Held on the Clerk's desk pending third consideration of companion House Bill No. 548.

Senate Bill No. 0433 -- Evidence -- Provides alternative procedure for presumption of reasonableness relative to certain medical expenses. Amends TCA 24-5-113.

Held on the Clerk's desk pending third consideration of companion House Bill No. 864.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

Senate Bill No. 0530 -- Tort Liability -- Authorizes waiver of landowner's liability in certain circumstances. Amends TCA, Title 70, Ch. 7.

Held on the Clerk's desk pending third consideration of companion House Bill No. 867.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1452 -- Dickson County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

REPORT OF CHIEF ENGROSSING CLERK

March 16, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 22, 23, 58 and 678; and House Joint Resolution(s) No(s). 128, 130, 134, 135, 136, 137, 138 and 139; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

March 16, 1989

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 80, 82, 92, 97, 149, 185, 207, 265, 719, 818 and 944.

MESSAGE FROM THE SENATE

March 16, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 140, 141 and 142; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

March 16, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 641; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

MESSAGE FROM THE SENATE

March 16, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 242, 665, 676, 682, 883 and 1027; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 0242** -- Budget Procedures -- Removes certain counties from County Budget Law of 1990. Amends TCA 5-22-116.

***Senate Bill No. 0665** -- Taxes, Agricultural and Open Spaces -- Establishes deadline for applications under Agricultural, Forest, and Open Space Land Act of 1976. Amends TCA 67-5-1005--1007.

***Senate Bill No. 0676** -- Mobile Homes and Manufactured Buildings -- Defines "mobile home park" for purposes of property assessments. Amends TCA 67-5-802.

***Senate Bill No. 0682** -- Codes -- Reduces number of copies of certain codes city must maintain. Same as *SB 794/HB 491. Amends TCA 6-54-502, 503, 506.

***Senate Bill No. 0883** -- Election Laws -- Reduces the number of registered voters required to sign nominating petitions for candidates to political nominating conventions. Amends TCA 2-13-305.

***Senate Bill No. 1027** -- Budget Procedures -- Exempts certain counties from County Budget Law of 1990. Amends TCA, Title 5, Ch. 22.

MESSAGE FROM THE SENATE

March 16, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 19, 214, 280 and 1179; also, Senate Joint Resolution(s) No(s). 104, 134, 142 and 144; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

March 16, 1989

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 19, 214, 280 and 1179; and Senate Joint Resolution(s) No(s). 104, 134, 142 and 144.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

MESSAGE FROM THE SENATE

March 16, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 652 and 1467; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 0652 -- Tennessee Housing Development Agency -- Removes exemption from mortgage bonds on low income housing construction projects. Amends TCA 7-60-102, 13-23-120, 121.

Senate Bill No. 1467 -- Gibson County -- Establishes court administered safety program.

ENROLLED BILLS

March 16, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 16, 60, 300, 633, 729, 934 and 1446; and House Joint Resolution(s) No(s). 161 and 163; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS

March 16, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 641; and House Joint Resolution(s) No(s). 140, 141 and 142; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

March 16, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 212, 252, 320, 485, 635, 674, 834, 842, 848 and 1223; and House Joint Resolution(s) No(s). 149, 150, 151, 153, 154, 155 and 166; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

THURSDAY, MARCH 16, 1989 -- TWENTY-FIRST LEGISLATIVE DAY

SIGNED
March 16, 1989

The Speaker announced that he had signed the following: House Bill(s) No(s). 16, 60, 300, 633, 729, 934 and 1446; and House Joint Resolution(s) No(s). 161 and 163.

MESSAGE FROM THE GOVERNOR
March 16, 1989

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill(s) No(s). 10 and 719; and House Joint Resolution(s) No(s). 18 and 22; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

REPORT OF COMMITTEE ON CALENDAR AND RULES
March 16, 1989

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, March 20, 1989: House Bill(s) No(s). 899, 691, 269, 271 and 967.

PHILLIPS, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES
March 16, 1989

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, March 22, 1989: House Bill(s) No(s). 383, 653, 524, 539, 566, 149, 1192 and 381.

PHILLIPS, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
March 16, 1989

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 20, 1989: House Bill(s) No(s). 988 and 987; and House Joint Resolution(s) No(s). 156, 157, 159, 160, 162 and 164.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present and not voting were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Perotias, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

On motion of Rep. Naifeh, the House adjourned until 5:00 p.m., Monday, March 20, 1989.